

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN LAFACE,

Plaintiff,

-against-

EASTERN SUFFOLK BOCES; BOARD OF TRUSTEES,
EASTERN SUFFOLK BOCES; DR. JULIE DAVIS LUTZ,
in her official capacity as COO, EASTERN SUFFOLK
BOCES, and individually; DR. R. TERRY McSWEENEY, in
her official capacity as Assistant Superintendent for Human
Resources, EASTERN SUFFOLK BOCES, and individually;
JILL DIAMOND, in her official capacity as School Personnel
Officer, EASTERN SUFFOLK BOCES, and individually;
KEITH ANDERSON, in his official capacity as Supervisor,
EASTERN SUFFOLK BOCES, and individually; THOMAS
BILKA, in his official capacity as Supervisor, EASTERN
SUFFOLK BOCES, and individually,

Defendants.
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Docket No.: 18-CV-01314
(ADS)(AKT)

**NOTICE OF MOTION FOR
SANCTIONS PURSUANT
TO FED. R. CIV. P. 11**

PLEASE TAKE NOTICE that, upon the annexed Attorney's Declaration of Adam I. Kleinberg and the affidavits and exhibits annexed thereto, the accompanying Memorandum of Law in Support of Defendants' Motion for Sanctions, and upon all pleadings and proceedings heretofore had herein, defendants will move this Court before the Honorable Arthur D. Spatt, at the United States District Court for the Eastern District of New York, located at 100 Federal Plaza, Central Islip, New York 11722, on a date to be determined by the Court, for an Order pursuant to Fed. R. Civ. P. 11(c) and 28 U.S.C. § 1927 issuing sanctions against plaintiff and his counsel and in favor of defendants, together with costs and attorneys' fees and such other and further relief as this Court deems just, equitable, and proper.

PLEASE TAKE FURTHER NOTICE, that defendants' motion is based on plaintiff's

and counsel's violation of Fed. R. Civ. P. 11(b) in that multiple pleadings were filed for "improper purposes, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation," present factual contentions that have no evidentiary support or are not likely to have evidentiary support after investigation or discovery, and assert claims against defendants that are factually and legally frivolous.

PLEASE TAKE FURTHER NOTICE, that opposition and reply papers shall be filed in accordance with the rules and directives of the Court.

Dated: Carle Place, New York
December 19, 2018

SOKOLOFF STERN LLP
Attorneys for Defendants



By: _____
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